

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

MARK TIGER, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC., and
VERIZON PENNSYLVANIA LLC,

Defendants.

Case No.: 2:23-CV-01618-NR

ORAL ARGUMENT REQUESTED

MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT

Defendants Verizon Communications, Inc. and Verizon Pennsylvania LLC hereby move the Court pursuant to Federal Rules of Civil Procedure 12 and 23 for an Order dismissing Plaintiff Mark Tiger's First Amended Complaint with prejudice and/or striking all class allegations. The Motion is based upon the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss Plaintiff's First Amended Complaint and any subsequent Reply, together with all pleadings and proceedings in this matter. A Proposed Order is submitted with this Motion. Defendants' respectfully request the opportunity to present oral argument.

Dated: May 9, 2024

Respectfully submitted,

/s/ Anderson T. Bailey

Anderson T. Bailey (Pa. 206485)

JONES DAY

500 Grant St., Ste. 4500

Pittsburgh, PA 15219

Ph: (412) 394-7250

Fx: (412) 394-7959

atbailey@jonesday.com

Leon F. DeJulius Jr. (Pa. 90383)
Sharyl A. Reisman (pro hac vice)
JONES DAY
250 Vesey Street
New York, NY 10281
Ph: (212) 326-3939
Fx: (212) 755-7306
lfdejulius@jonesday.com

Bridget K. O'Connor (pro hac vice)
JONES DAY
51 Louisiana Avenue, N.W.
Washington, DC 20001
Ph: (202) 879-3939
Fx: (202) 626-8585
boconnor@jonesday.com

Counsel for Defendants

CERTIFICATION

Pursuant to Chambers' Practices and Procedures § II.d, I hereby certify that Defendants have made good-faith efforts to confer with the Plaintiff to determine whether the identified pleading deficiencies properly may be cured by amendment. Those efforts include discussions prior to amendment of the initial Complaint, identifying the bases for Defendants' motion, and agreement between the parties that no further discussion of the issues was warranted prior to filing.

/s/ Anderson T. Bailey
Anderson T. Bailey (Pa. 206485)

Counsel for Defendants